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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                   UNITED STATES OF AMERICA,  
11    Plaintiff,  
12    v.  
13                           EDWARD ALAN GARCIA,  
14    Defendant.

Case No. CR03-125L  
ORDER CONTINUING TRIAL DATE

15         Based on the records and files herein and the representations of defense counsel, the  
16 government, and Mr. Garcia, the Court finds that:

17         1.         This matter comes before the Court after defendant's conviction was vacated and  
18 remanded by the Ninth Circuit Court of Appeals. See U.S. v. Garcia, 401 F.3d 1008 (9<sup>th</sup> Cir.  
19 2005);

20         2.         On July 19, 2005, this Court conducted a hearing attended by defendant, his  
21 counsel, and government counsel;

22         3.         At that hearing, defense counsel indicated that he would not be ready for trial by  
23 the time mandated under the Speedy Trial Act, see 18 U.S.C. § 3161(e), and needed additional  
24 time to prepare for trial;

25         4.         Upon questioning from the Court and consultation with defense counsel, defendant  
26 agreed that his attorney needed additional time to prepare for trial, and defendant recognized the

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1 need for a continuance;

5. The government did not object to a continuance; and

3       6. The ends of justice outweigh the best interests of the public and the defendant in a  
4 speedy trial. In light of defense counsel's request at the July 5, 2005 hearing, the Court finds  
5 that failure to continue the trial would deny defense counsel adequate time to effectively prepare  
6 for trial.

7 For all the foregoing reasons, IT IS HEREBY ORDERED that the trial date is continued  
8 to September 12, 2005.

9 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code, Section  
10 3161(h), the period of time from the date of this order to the new trial date is excluded in the  
11 computation of time under the Speedy Trial Act.

DATED this 11<sup>th</sup> day of July, 2005.

Mrs Casnik

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**Robert S. Lasnik  
United States District Judge**

**ORDER CONTINUING TRIAL DATE**